
To: PLANNING_COMMISSION
Subject: Additonal Materials Received

Item No. 3a: Additional Materials Received
Planning Commission November 8, 2012
Chizhik Variance (PA2012-113)

From: Tim Stoaks [<mailto:timstoaks@sbcglobal.net>]
Sent: Tuesday, November 06, 2012 12:47 PM
To: Brandt, Kim
Cc: Gary Hall; Gary Golson; Jayne Jones; Loren Blackwood; Mary Slouka; Richard Dayton; Richard Moriarty
Subject: 20361 SW Cypress Street -Deny application for variance

RE:

ITEM NO. 3 Chizhik Variance (PA2012-113)

Site Location: 20361 SW Cypress Street

Summary:

The applicant is requesting a variance to allow existing hedges and block walls topped with lattice panels, which exceed the Zoning Code height limits within setbacks (sides – 6 feet, front – 42 inches), to remain in place along the side property lines.

Planning Commission

I urge you to **deny the application for variance allowing block wall and Lattice panels which were constructed in direct conflict to the SAH specific plan.** the Specific Plan is the work of a great many folks that served to develop the specific plan for Santa Ana Heights via the SAHPAC. These regulations were vetted with much community out reach, meetings and input from design and architectural sub committees that were part of the SAHPAC. The requirement are consistent with the established character of both the SAH Business Park and the Residential areas.

As the former Chairman of the SAHPAC, this is not the first application that has been requested. Before the sunseting of the SAHPAC the Architectural sub committee has written comment that this type of variance greatly affects the larger sites and that with the mansionising of the sites along Cypress and Mesa Dr. would negatively impact the aesthetic of the neighborhood.

Thank you for your consideration on this matter.

Tim Stoaks

Former SAHPAC Chairman

2181 Mesa Dr

Newport Beach Ca 93660

CC: SAHPAC

To: PLANNING_COMMISSION
Subject: Additonal Materials Received

Item 3b: Additional Materials Received
Planning Commission – November 8, 2012
Chizhik Variance (PA2012-113)

From: cashwho@aol.com [<mailto:cashwho@aol.com>]
Sent: Tuesday, November 06, 2012 1:30 PM
To: Brandt, Kim
Subject: 20361 SW Cypress Street -Deny application for variance

ITEM NO. 3 Chizhik Variance (PA2012-113)

Site Location: 20361 SW Cypress Street

Summary:

The applicant is requesting a variance to allow existing hedges and block walls topped with lattice panels, which exceed the Zoning Code height limits within setbacks (sides – 6 feet, front – 42 inches), to remain in place along the side property lines.

Dear Planning Commission

I own the property at 20341 Cypress and can see this monstrosity of a wall in question from my property. I feel for my neighbor whose property abuts this wall. Even the block wall itself is more than six feet, then add the lattice and plantings and the result is more than just unsightly. My neighbors back yard looks like a racquetball court with this huge unsightly block wall. I witnessed how the yard at 20361 was filled in with dirt to raise the original grade of this property which resulted in such a high wall on the neighboring property. I urge you to deny the application for the variance allowing the block wall and lattice panels that do not comply with the SAH specific plan guidelines. Additionally, the fencing along the property line in front also blocks the view of the multi purpose trail making access from the driveway unsafe.

These improvements are not allowed and should not be granted a variance to continue. If you grant this variance to this property, then will I be allowed to do the same on my property? If that were to occur, the property owner at 20351 would have 10 foot walls on each side of his property. Is that truly something that we should allow to happen to anyone?

Thank you for your consideration on this matter.

Holly Jarvis
20341 Cypress Street

To: PLANNING_COMMISSION
Subject: Additional Materials Received

Item No. 3c: Additional Materials Received
Planning Commission November 8, 2012
Chizhik Variance (PA2012-113)

From: Alyson Michie [<mailto:gallomichie@hotmail.com>]
Sent: Tuesday, November 06, 2012 1:43 PM
To: Brandt, Kim
Subject: 20361 SW Cypress Street

To Whom it May Concern: I live right across the street at 20362 SW Cypress Street. I take issue with the height Mr Gennady & Mrs Marina Chizhik have in mind for their property located at 20361 SW Cypress Street. My objection is; it is not in accordance with our height limit of 6 feet and begins a process in the break down of a friendly neighborhood. My vote is no to their desire for an adjustment to height limitation. Best regards, Alyson

To: PLANNING_COMMISSION
Subject: Additional Materials Received

Item No. 3d: Additional Materials Received
Planning Commission November 8, 2012
Chizhik Variance (PA2012-113)

From: Dirt Loving [<mailto:dirtloving@gmail.com>]
Sent: Tuesday, November 06, 2012 4:09 PM
To: Brandt, Kim
Subject: ITEM NO. 3 Chizhik Variance (PA2012-113)

At First Blush, I lean towards allowing people do what they want with their own property, until it affects others. I feel that is clearly the case, in this situation. Obviously the underlying block wall exceeds height restrictions set forth by City of Newport AND the County of Orange, and the attached lattice makes the violation even greater. Not only is it illegal & unattractive, it deprives neighbors of the wonderful ocean breezes we are privileged to enjoy in this area & which they did previously enjoy prior to the building of this wall.

It is my firm position that this fence should adhere to the maximum of six feet in height, and its measurement, per the City of Newport Beach Municipal Code, “shall be measured from the existing grade prior to construction at the location where the fence, hedge, or wall is located.” Since many tons of fill were brought in to artificially raise the grade, it would require a much shorter fence than what currently stands. As a building contractor, Mr. Chizhik knew, yet flagrantly disregarded these height restrictions and for this reason alone, the variance should be denied.

Moreover, if the Chizhik’s did not like the rural/equestrian nature of this neighborhood, or the noise of the airport, they should not have purchased, and *then built* a home here. As it took two years (plus an additional year, prior to construction) to build this home, they were **VERY well aware** of the airport & dust, **long before they moved in**. We all have the right to choose where to live. If we don’t like the dirt of a rural neighborhood & the noise of an adjacent airport, perhaps one should choose a different location to build a home...

Please simply enforce the existing height limitations on residential fences & walls and do not grant a variance for this property.

Most Sincerely,
G. Stout

To: PLANNING_COMMISSION
Subject: Additional Materials Received

Item 3e: Additional Materials Received
Planning Commission November 8, 2012
Chizhik Variance (PA2012-113)

From: Emily Vogler [<mailto:emilycv@roadrunner.com>]
Sent: Tuesday, November 06, 2012 9:12 PM
To: Brandt, Kim; Dept - City Council
Cc: jghall@fea.net; caikenpie@mac.com; bkbaycuvee@sbcglobal.net; wwfwmblds@aol.com; rdayton@juno.com; gggolson@hotmail.com; nbvineyards@adelphia.net; Barbara Venezia; timstoaks@sbcglobal.net
Subject: 20361 SW Cypress Street -Deny application for variance

RE:

ITEM NO. 3 Chizhik Variance (PA2012-113)

Site Location: 20361 SW Cypress Street

Summary:

The applicant is requesting a variance to allow existing hedges and block walls topped with lattice panels, which exceed the Zoning Code height limits within setbacks (sides – 6 feet, front – 42 inches), to remain in place along the side property lines.

I object to granting this variance because my property has suffered from a similar situation where a neighboring property owner erected an oversize fence that was later approved by Newport Beach despite objections from me and many longtime property owners and residents because such fences adversely impact neighboring properties. I look at the 12 foot tall cement block wall bordering my yard and its prison yard ambiance every morning, thanks to the city of Newport Beach and its ignoring un-permitted landfill on the neighboring property and the oversize fence built on it, and while the subject wall has some landscaping to soften the effect, it still hems in the adjacent properties. The specific plan of our neighborhood was established with much input and consideration of the residents and allowing new construction to impose towering walls on neighboring homes is to neglect the aesthetic of the neighborhood. I have a question for the city council- are such tall walls allowed in other city neighborhoods? I have other properties in Newport Beach and do not see such imposing fencing separating homes in other areas of the city.

Emily Crean Vogler

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Emily Vogler
emilycv@roadrunner.com

I have no objections to the height of the constructed wall, including trellis and planted trees located at 20361 SW Cypress, Newport Beach, CA 92660. They are beneficial to both my neighbor and I in minimizing airplane noise, absorbing dust, and ensuring privacy.

RICHARD M. LETHN
Name: *Richard M. Lethn*

Date: *11-6-2012*

CLARICE D. LETHN
Signature: *Clarice D. Lethn*

Address: *20352 SW CYPRESS*
NPB, CA 92660

I have no objections to the height of the constructed wall, including trellis and planted trees located at 20361 SW Cypress, Newport Beach, CA 92660. They are beneficial to both my neighbor and I in minimizing airplane noise, absorbing dust, and ensuring privacy.

Name: Kelly Holcomb

Date: 11/5/12

Signature: [Handwritten Signature]

Address: 20411 Cypress St.

I have no objections to the height of the constructed wall, including trellis and planted trees located at 20361 SW Cypress, Newport Beach, CA 92660. They are beneficial to both my neighbor and I in minimizing airplane noise, absorbing dust, and ensuring privacy.

Name: Mary Mackley

Date: 11/06/12

Signature: Mary Mackley

Address: 20354 SW Birch St., Newport Beach, Ca
92660

To: PLANNING_COMMISSION
Subject: Additional Materials Received

Item No. 3g: Additional Materials Received
Planning Commission November 8, 2012
Chizhik Variance (PA2012-113)

From: Clifford N Gibran [<mailto:cliffordngibran@gmail.com>]
Sent: Wednesday, November 07, 2012 1:08 PM
To: Brandt, Kim
Subject: ITEM NO. 3 Chizhik Variance (PA2012-113)

I think ANY building contractor, especially one that has done work for the City of Newport Beach, should be held to a "higher standard" when it comes to adhering to building and zoning regulations. Everyone knows fences of this height are not allowed in residential areas. However, this contractor chose to ignore building/zoning regulations and build what they wanted. Clearly he felt the rules did not apply to him.

It is HIGHLY UNacceptable for illegal construction activity to be ultimately REWARDED with a permit! What sort of message does this send?

Any action OTHER than DENYING these homeowners "permission" for their illegal actions would be a clear indicator of preferential treatment by the City of Newport Beach.

Most Sincerely,
CM Stout
Neighborhood resident

I have no objections to the height of the constructed wall, including trellis and planted trees located at 20361 SW Cypress, Newport Beach, CA 92660. They are beneficial to both my neighbor and I in minimizing airplane noise, absorbing dust, and ensuring privacy.

Name: Sandee Felix

Date: Nov 5, 2012

Stacey Felix
Signature: Sandee Felix

New owners at:

Address: 2231 Mesa Dr.
Newport 92660

We love it!!!

RECEIVED BY
COMMUNITY
NOV 07 2012
DEVELOPMENT
CITY OF NEWPORT BEACH